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February 25, 2008

BY ELECTRONIC FILING

The Honorable Gregory M. Sleet
United States District Court
Federal Building
844 North King Street
Wilmington, DE 19801

Re: *Merck & Co., Inc. v. Ranbaxy Inc. and Ranbaxy Laboratories Limited*
C.A. No. 07-229 (GMS)

Dear Chief Judge Sleet:

This letter is jointly submitted on behalf of Merck and Ranbaxy with the Parties' Second Revised Joint Claim Construction Chart (being filed separately) in accordance with the Court's directive during the February 7 *Markman* hearing and Order of February 19 (D.I. 57). The first section of the chart includes two additional agreed-upon constructions of claim terms, specifically, "pharmaceutically acceptable cation" in claims 1 and 9 and "said one to fifteen carbon alkyl" in claim 1, as agreed on the record during the hearing and which the parties jointly request that the Court adopt.

Further, as agreed on the record during the hearing, Ranbaxy does not contend that the term "dimethylcyclopropane" in claim 19 should be construed to have a different meaning than "dimethylcyclopropyl" in parent claim 9.

As discussed during the hearing, the parties have attempted to resolve additional disputes concerning the meanings of the structural formulas, but have been unable to reach agreement on those claim terms.

Respectfully,

/s/ Mary B. Graham (#2256)

Mary B. Graham (#2256)

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cc: Clerk of the Court (by hand delivery)
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